

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Phillip Jacquell Williams

Docket No. 4:15-CR-30-1H

Petition for Action on Supervised Release

COMES NOW Michael W. Dilda, Supervising U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Phillip Jacquell Williams, who, upon an earlier plea of guilty to Sexual Abuse of a Minor, was sentenced by the Honorable Martin Reidinger, U.S. District Judge in the Western District of North Carolina (WDNC) on August 21, 2013, to the custody of the Bureau of Prisons for a term of 18 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 10 years.

On September 5, 2013, Williams was released from custody to the Eastern District of North Carolina (EDNC) to commence the term of supervised release. On September 16, 2013, the defendant was arrested in Pitt County, North Carolina, for felonious Possession With Intent to Sell and Deliver Marijuana, felonious Maintaining a Vehicle, Dwelling, Place for a Controlled Substance, and Possession of Drug Paraphernalia (13CR58100), and Driving While License Revoked (DWLR, 13CR711324), all of which occurred on September 16, 2013. Williams was returned to the WDNC for revocation proceedings. On April 10, 2014, supervision was revoked for new criminal conduct (DWLR) and a 9 month prison term imposed, to be followed by 9 years of supervised release. On June 17, 2014, Williams' supervision resumed in the EDNC. On June 19, 2014, Williams was arrested for felonious Conspiracy to Sell Marijuana (14CR52806); however, this offense was related to the conduct that occurred on September 16, 2013.

On August 13, 2014, and September 18, 2014, Williams tested positive for marijuana. He was verbally reprimanded for his conduct, which was reported to the WDNC to initiate a transfer of jurisdiction so that future compliance matters could be addressed in the EDNC.

On October 8, 2014, Williams was sentenced in Pitt County Superior Court under a Conditional Discharge Under G.S. 90-96 for Deferral of Proceeding and Placement on Probation for Felony Possession of Marijuana (13CR58100) for 24 months, and all other charges were dismissed, except Conspiracy to Sell Marijuana (14CR52806), which remains pending. On March 4, 2015, Williams tested positive for marijuana. On April 27, 2015, jurisdiction was transferred to EDNC.

On May 1, 2015, Williams violated the Pitt County Deferred Judgment (13CRS58100) and was arrested by state probation authorities for violations of court indebtedness and testing positive for marijuana. As a result of the violations, on May 19, 2015, the defendant was convicted of Felony Possession of Marijuana (13CRS58100) and sentenced to a term of 6 to 17 months custody, suspended for 24 months of probation. Williams remained in state custody on this Judgment from May 1, 2015, to August 6, 2015.

On October 1, 2015, a Petition for Action on Supervised Release was filed with the court advising of the above-noted conduct while awaiting transfer of jurisdiction to the EDNC. Additionally, it was noted that on September 10, 2015, after the completion of a polygraph examination, the defendant acknowledged he used cocaine on September 5, 2015, in addition to viewing pornography with his fiancée. On October 5, 2015, the court concurred with the probation officer to modify supervision and ordered Williams be confined to 5 days custody in the Bureau of Prisons and participation in a cognitive behavioral program (Interactive Journaling Program).

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RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On February 3, 2016, the defendant provided a urine sample to the probation officer. On February 11, 2016, laboratory analysis confirmed positive results for marijuana. On March 21, 2016, when confronted with the positive results, Williams admitted he used marijuana on approximately January 28, 2016, and signed an Admission Form. Additionally, on March 19, 2016, the defendant was cited by the Pitt County Sheriff's Office with Driving While License Revoked and Fictitious/Altered Title/Registration Card/Tag (16CR703034). The charges remain pending for disposition. The defendant currently reports for substance abuse and sex offender counseling as directed, and remains active in the Interactive Journaling Program. As a sanction for this conduct, it is recommended that Williams be confined 10 days in the custody of the Bureau of Prisons. The defendant signed a Waiver of Hearing agreeing to the proposed modifications of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 10 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

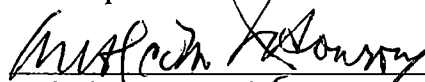
Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Michael W. Dilda
Michael W. Dilda
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2342
Executed On: March 24, 2016

ORDER OF THE COURT

Considered and ordered this 29th day of March 2016 and ordered filed and made a part of the records in the above case.


Malcolm J. Howard
Senior U.S. District Judge